

**ARTICLE I: Name of Organization**

The name of the organization shall be the Utah Youth Court Advisory Board, hereafter referred to as the “Board.”

**ARTICLE II: FUNCTIONS (Mission Statement)**

The Utah Youth Court Advisory Board will assist and support youth courts in the State of Utah by:

- (a) Setting high Standards for youth courts and providing an application and certification process to those your courts which meet those standards.
- (b) Providing resources for the training and education of youth and adult volunteers working in youth courts.
- (c) Acting as a clearing house for youth court information.
- (d) Supporting communities who are establishing youth courts.

**ARTICLE III: MEMBERSHIP**

Section 1: Composition

The Utah Attorney General’s Office shall provide staff support and assistance to the Board which will be comprised of the following:

- (a) The Utah Attorney General or his designee;
- (b) One member of the Utah Prosecution Council;
- (c) One juvenile court judge;
- (d) The juvenile court administrator or his designee;
- (e) One person from the Office of Juvenile Justice and Delinquency Prevention;
- (f) The state superintendent of education or his designee;
- (g) Two representatives from Youth Courts based primarily in schools;
- (h) Two representatives from Youth Courts based primarily in communities;
- (I) One member from the law enforcement community; and
- (j) One member from the community of large.

Section 2: Appointment and Terms

The members selected to fill the positions in Subsections (a) through (f) shall jointly select the members to fill the positions in Subsections (g) through (j). Members shall serve two-year staggered terms beginning July 1, 1999, except the initial terms of the members designated by Subsections 1(a), ( c), (e) and (I), and one of the members from Subsection 1(g) and (h) shall serve one-year terms, but may be reappointed for a full two-year term upon the expiration of the initial term. Members are eligible for reappointment. (In accordance with Title 63, Chapter 46(a), Utah Administrative Rulemaking Act, the Youth Court Board shall make rules to

accomplish these requirements.)

### Section 3: Removal

The Chair may recommend the removal of any Board member who accrues three consecutive, un-excused absences to regular meetings in any twelve-month period.

### Section 4: Compensation

Members of the Board shall serve without compensation, but may receive per diem and expenses incurred in the performance of the member's official duties at the rates established by the Division of Finance under Sections 63A-3-106 and 63A-3-107.

- (a) Members may decline to receive per diem and expenses for their service.

## **ARTICLE IV: OFFICERS**

### Section 1: Officers and Responsibilities

The Officers of the Board shall include the Chair and Co-Chair. The duties of the officers shall be as follows:

- (a) Chair: Conduct Board meetings and any other duties and responsibilities as assigned by the Board.
- (b) Co-Chair: Act for the Chair in his or her absence. Assume the Chair position when the term of the Chair had expired.

### Section 2: Election and Term

- (a) The officers shall be elected by a majority vote of the Board members present and voting at the meeting designated for election or in a manner designated by the Board.

## **ARTICLE V: MEETINGS**

### Section 1: Regular Meetings

Regular meetings of the Board shall be held quarterly.

### Section 2: Special Meetings

Special meetings may be called by the Chair at any time. Special meetings may also be called upon written request signed by five (5) or more members of the Board.

### Section 3: Notice

Written notice calling meetings shall be sent by the Chair at least one (1) week prior to the meeting.

### Section 4: Quorum

One half of the number of the Board shall constitute a quorum for conducting the business of the Board. A majority vote of those present and voting shall be required for the transactions of any

business by the Board. Proxy voting shall not be permitted, although Board members may send representatives in their absence to speak on their behalf. If a quorum is not present at the meeting, a vote may take place by e-mail.

#### Section 5: Public Meetings

Board meetings shall be conducted in accordance with Utah's Open and Public Meeting Act (USA § 52-4-1 to 9).

#### Section 6: Conflict of Interest

- (a) No Board member shall vote on a matter in which he/she or any member of his/her immediate family has an interest as defined in paragraph (b) of this section.
- (b) An interest shall include an employment, ownership, or fiduciary relationship to an agency, organization or entity which may be directly or indirectly affected by an action, decision or recommendation of the Board.
- (c) Whenever a Board member knows he/she has an interest in a matter to be voted upon, he/she shall announce the interest and shall abstain from voting on the matter.
- (d) Whenever a Board member believes he/she has a possible interest in a matter to be voted upon, he/she shall announce such a possible interest and the question of whether an actual interest exists shall be decided by a majority vote of the members present and voting. The member announcing the possible interest and any other members who have an interest or a possible interest in the matter ( for whom the question of actual interest has not yet been voted upon) shall not vote on the question of whether an actual interest exists.
- (e) Any person present at the Board meeting may raise the question of possible interest with respect to any Board member concerning any matter to be voted upon. The question of whether an actual interest exists shall be decided as provided in paragraph (d) of this subsection.
- (f) Nothing in this section shall prohibit any Board member who has an interest from participating in the discussion or debate on a matter in which he/she has an interest.
- (g) Members with an interest shall be counted in determining whether a quorum exists for a vote on any matter.

#### Section 7: Parliamentary Rules

The Board's meetings shall be conducted in accordance with Robert's Rules of Order, except as otherwise provided herein.

#### Section 8: Meeting content

The Board shall meet at least quarterly to:

- (a) Set minimum standards for the establishment of Youth Courts, including an application process, membership and training requirements, and the qualifications for the adult coordinator.
- (b) Review certification applications.
- (c) Provide for a process to re-certify each Youth Court every three years.
- (d) The Youth Court Board shall provide a list of certified Youth Courts to the Board of Juvenile Court Judges, all law enforcement agencies in the state, all school districts, and the Utah Prosecution Council by December 31 of each year.
- (e) The Youth Court Board may deny certification or re-certification, or withdraw the certification of any Youth Court for failure to comply with program requirements.

## **ARTICLE VI: COMMITTEES**

### Section 1: Standing Committees

The Board shall designate standing committees to assist and advise the Board on the performance of its duties and responsibilities. The Board Chair shall recommend for Board approval, membership for each committee and committee Chair. The Board may approve standing committee membership and Chair at any regular or special meeting by majority vote of those present and voting.

### Section 2: Ad Hoc Committees

The Chair or the Board may appoint ad hoc committees or task forces to advise the Board on the performance of its duties and responsibilities.

## **ARTICLE VII: AMENDMENT OF BY-LAWS**

These by-laws may be amended at any regular or special meeting by a two-thirds vote of those present and voting, provided that a draft of the proposed amendment is distributed to Board members at least one week prior to the meeting.